IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 24651 of 2006(I)
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PETITIONER:
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M/S. MALABAR PROCESSORS LIMITED,
7-B, JEWEL ARCADE, 2ND FLOOR, LAYAM ROAD,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MR.S.D.BATTER.

BY ADV. SRI.DEVAN RAMACHANDRAN
SMT.T.G.SEETHAL

RESPONDENTS:
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1. DEPUTY DIRECTOR,
RUBBER BOARD, SASTRI ROAD, KOTTAYAM.

2. THE OFFICER IN-CHARGE,
RUBBER BOARD CHECK POST, BANGRA MANJESHWARA,KERALA

BY ADV.SRI.JOSEPH MARCOS, SC.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX:

PETITIONER'S EXHIBITS:

EXT.P1- TRUE COPY OF THE LORRY RECEIPT NO.E.283358 DATED 12-9-2006.

EXT.P1A-TRUE COPY OF THE LORRY RECEIPT NO.E.238426 DATED 13-9-2006.

EXT.P2- TRUE COPY OF the DETENTION ORDER ISSUED BY THE 2ND RESPONDENT WITH RESPECT TO CONSIGNMENT COVERED BY EXHIBIT P1 DATED 13-9-2006.

EXT.P3- TRUE COPY OF the DETENTION ORDER ISSUED BY THE 2ND RESPONDENT WITH RESPECT TO THE CONSIGNMENT COVERED BY EXHIBIT P1A DATED 14-9-2006.

EXT.P4- TRUE COPY OF the LETTER ADDRESSED TO THE 2ND RESPONDENT BY THE PETITIONER DATED 14-9-2006.

EXT.P4A-TRUE COPY OF THE LETTER ADDRESSED TO THE 2ND RESPONDENT BY THE PETITIONER DATED 15-9-2006.

EXT.P5- TRUE COPY OF THE LETTER ADDRESSED BY THE PETITIONER TO THE RESPONDENTS DATED 14-9-2006.

EXT.P6- TRUE COPY OF the RETURNS FILED BY M/S.BALAJI TRADING COMPANY, MUMBAI BEFORE THE RUBBER BOARD.

K.BALAKRISHNAN NAIR, J.

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W.P.(C).No.24651 of 2006-I

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Dated this the 11th day of April, 2007

**JUDGMENT**

In view of the interim order passed by this Court on 20-9-2006, the writ petition is disposed of directing the second respondent to pass final orders on the liability of the petitioner to pay cess in accordance with law, after affording an opportunity of being heard to the petitioner, within two months from the date of receipt of a copy of this judgment. In the light of the said order, the bank guarantee furnished shall be dealt with.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS